

REMARKS

This application has been reviewed in light of the Office Action dated May 12, 2004. Claims 1-20 are pending in the application. By the present amendment, claims 1 and 11 have been amended. No new matter has been added. The Examiner's reconsideration of the rejection in view of the amendment and the following remarks is respectfully requested.

By the Office Action, claims 1 and 11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,553,220 to Marks (hereinafter Marks) in view of U.S. Patent No. 6,721,399 to Beyda (hereinafter Beyda).

The Examiner stated that the claims of the present application were obvious in view of the cited combination. The Applicant respectfully disagrees in view of the amendments and remarks.

Marks is directed to a message storage system capable of receiving commands which correlate a telephone handset with messages stored in the system which are associated with that telephone handset. In essence, Marks maps telephones with messages left for those telephones. The information conveyed to a user is the voice data left by the caller who left the message. Marks does not disclose or suggest returning caller ID information as part of a message or independently. As mentioned, codes are input by a user or CLI information is used to map a subscriber to his messages, and messages responsive to the codes are returned. Digital information related to the individual caller (i.e., caller ID information) is not returned or relayed to the subscriber via caller ID service.

Beyda provides a system which permits caller ID information be made available to a user while retrieving messages. The system of Beyda does not permit a user to retrieve the caller ID information subsequent to the connection to the answering machine being terminated and in no event does Beyda disclose or suggest, storing the caller ID information and messages, if available, in the wireless device for subsequent rendering, including displaying and/or producing sound, when the caller ID information is provided.

Beyda retrieves caller ID information but prefers access to a central office near the user to initiate calls and to permit the retrieval of the caller ID information. In this way, the call originated from the local central office reduces long distance or toll charges (the trombone issue) when the user returns the call.

The cited combination of Marks and Beyda fails to disclose or suggest claims 1 and 11 as amended. Claim 1 now recites, *inter alia*, the step of storing at least the caller ID information and messages, if available, in the wireless device for subsequent rendering, including displaying and/or producing sound, when the caller ID information is provided. Support for this amendment is found in the specification and FIGs. (see e.g., the Summary and FIG. 3). Nowhere in the cited combination does the actual wireless device download (store) caller ID info and/or messages for later retrieval.

In contrast to the prior art, the present invention permits a user to download the contents of the answering machine including caller ID information to a wireless device, such as a cell phone or PDA. This capability is augmented by the ability to, with even a display-less telephone, hear caller ID numbers and messages. In addition, the messages and ID info retrieved can be stored and retrieved at a later time since they have been downloaded to the wireless device. This permits the retrieval of the messages and caller ID information by sight or sound from the wireless device itself and independently from any network or central station as in Beyda.

Furthermore, the answering device/caller ID unit can render the caller ID information visually, if a display telephone is used or acoustically if no display is available. In this way the user is assured of receiving the caller ID information, as opposed to Beyda, which provides only "non-verbal data" (see col. 1, lines 8-10).

Similar features to claim 1 have been included in claim 11. Therefore, the presently claimed features in claims, 1 and 11 are not disclosed or suggested by the cited art. Marks and Beyda taken alone, or in combination fails to disclose or suggest, *inter alia*, a system or method including storing at least the caller ID information and messages, if available, in the wireless device for subsequent rendering, including displaying and/or producing sound, when the caller ID information is provided. Reconsideration of the rejection is earnestly solicited.

By the Office Action, claims 2-7, 9-10, 12-17 and 19-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Marks in view of Beyda and U.S. Patent No. 6,032,039 to Kaplan (hereinafter Kaplan).

Kaplan is directed to a message retrieval system, which provides a subscriber with a predetermined service number to call in order to retrieve messages stored in a message database (see e.g., Kaplan, Summary col. 2 lines 12-20). Nowhere in Kaplan is caller ID

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information sent to the subscriber independently or in association with a telephone message. Nowhere in Kaplan are the messages and caller ID information stored (downloaded) to the wireless device for later retrieval as recited in claims 1 and 11. Therefore, Kaplan fails to cure the deficiencies of Marks and Beyda with respect to claims 1 and 11.

Since claims 2-7, 9-10, 12-17 and 19-20 depend from claims 1 and 11, claims 2-7, 9-10, 12-17 and 19-20 are believed to be in condition for allowance due at least to their dependencies. However, other reasons exist for allowing claims 2-7, 9-10, 12-17 and 19-20, as well.

By the Office Action, claims 8 and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Marks in view of Beyda and U.S. Patent No.5,933,478 to Ozaki et al. (hereinafter Ozaki).

Ozaki fails to cure the deficiencies of the combination of references as discussed above. Notwithstanding this, claims 8 and 18 depend from independent claims 1 and 11, respectively, and are believed to be allowable due at least to their dependencies.

Reconsideration is respectfully requested.

It is therefore respectfully submitted that the present claims 1 and 11 and, therefore, claims 1-20 are in condition for allowance over the cited art. Reconsideration of the rejection is respectfully requested for at least the reasons stated.

In view of the foregoing amendments and remarks, it is respectfully submitted that all the claims now pending in the application are in condition for allowance. Early and favorable reconsideration of the case is respectfully requested.

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It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's Deposit Account No.07-0832.

Respectfully submitted,

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July 30, 2004